

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KIMBERLY ANN SCHUMACHER,

Plaintiff,

v.

KWIK TRIP, INC.,

Defendant.

ORDER

19-cv-808-jdp

Plaintiff Kimberly Ann Schumacher, appearing pro se, alleges that she was forced to quit her job at Kwik Trip because of sexual harassment by a customer and retaliatory discipline by Kwik Trip, Inc., in response for her complaining about the harassment. I granted her leave to proceed on claims under Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act. Dkt. 4.

Defendant Kwik Trip filed a motion for summary judgment, Dkt. 29, to which Schumacher did not respond. I gave Schumacher a final opportunity to submit materials opposing the summary judgment motion and I warned her that if she failed to file a response I would dismiss this case with prejudice under Federal Rule of Civil Procedure 41 for her failure to prosecute it. Schumacher has not submitted a response, so I will dismiss the case. *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) ("A district court has the authority under Federal Rule of Civil Procedure 41(b) to enter a sua sponte order of dismissal for lack of prosecution.").

ORDER

IT IS ORDERED that this case is DISMISSED with prejudice for plaintiff Kimberly Ann Schumacher's failure to prosecute it. The clerk of court is directed to enter judgment for defendant and close the case.

Entered September 10, 2021.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge